

lists the kinds of organizations and the applicable cost principles.

For the costs of a—	Use the principles in—
State, local or Indian tribal government .....	OMB Circular A-87 (as codified at 2 CFR part 225).
Private nonprofit organization other than an (1) institution of higher education, (2) hospital, or (3) organization named in OMB Circular A-122 (as codified at 2 CFR part 230) as not subject to that circular.	OMB Circular A-122 (as codified at 2 CFR part 230).
Educational institutions .....	OMB Circular A-21 (as codified at 2 CFR part 220).
For-profit organization other than a hospital and an organization named in OMB Circular A-122 (as codified at 2 CFR part 230) as not subject to that circular.	48 CFR part 31. Contract Cost Principles and Procedures, or uniform cost accounting standards that comply with cost principles acceptable to the Federal agency.

**§ 97.26 [Amended]**

■ 51. In § 97.26(b), remove the words “expends \$300,000 or more (or other amount as specified by OMB)” and add, in their place, the words “expends \$300,000 or more (or \$500,000 or more for fiscal years ending after December 31, 2003 or such other amount as specified by OMB)”, and, in § 97.26(b)(1) and (b)(2), remove the words “Circular A-110,” and add, in their place, “Circular A-110 (as codified at 2 CFR part 215),”.

**§ 97.36 [Amended]**

■ 52. In § 97.36(d)(1), remove the words “set at \$100,000” and add, in their place, “set at \$100,000, subject to adjustment for inflation”.

**§ 97.42 [Amended]**

■ 53. In § 97.42(f), after the words “apply to records” insert the words “owned and possessed by the grantee.”.

**PART 98—GOVERNMENTWIDE DEBARMENT AND SUSPENSION (NONPROCUREMENT)**

■ 54. The authority citation for 29 CFR part 98 continues to read as follows:

**Authority:** 5 U.S.C. 301, Pub. L. 103-355, 108 Stat. 3327 (31 U.S.C. 6101 NOTE); E.O. 11738, 3 CFR, 1973 Comp., p. 799; E.O. 12549, 3 CFR, 1986 Comp., p. 189; E.O. 12689, 3 CFR, 1989 Comp., p. 235.

**§ 98.530 [Amended]**

■ 55. In § 98.530(a), remove “<http://epls.arnet.gov>” and add, in its place, “<http://www.epls.gov>” and, in § 98.530(b), remove “(202) 783-3238” and add, in its place, “(202) 512-1800, or (866) 512-1800 (toll free)”.

**PART 99—AUDITS OF STATES, LOCAL GOVERNMENTS AND NON-PROFIT ORGANIZATIONS**

■ 56. The authority citation for 29 CFR part 99 is revised to read as follows:

**Authority:** Public Law 104-156, 110 Stat. 1396 (31 U.S.C. 7500 et seq.) and OMB Circular A-133, as amended.

■ 57. In § 99.200(a) and (b), after the words “Federal awards”, add the words “(or \$500,000 for fiscal years ending after December 31, 2003)”, and revise paragraph (d) to read as set forth below:

**§ 99.200 Audit requirements.**

\* \* \* \* \*

(d) *Exemption when Federal awards expended are less than \$300,000 (or \$500,000 for fiscal years ending after December 31, 2003).* Non-Federal entities that expend less than \$300,000 a year in Federal awards (or \$500,000 for fiscal years ending after December 31, 2003) are exempt from Federal audit requirements for that year, except as noted in § 99.215(a), but records must be available for review or audit by appropriate officials of the Federal agency, pass-through entity, and Government Accountability Office (GAO).

\* \* \* \* \*

**§ 99.230 [Amended]**

■ 58. In § 99.230(b)(2), after the words “Federal awards expended are less than \$300,000 per year”, add the words “(or \$500,000 for fiscal years ending after December 31, 2003)”.

■ 59. Revise § 99.305(a) to read as follows:

**§ 99.305 Auditor selection.**

(a) *Auditor procurement.* In procuring audit services, auditees shall follow the procurement standards prescribed by OMB Circular A-102, “Grants and Cooperative Agreements with State and Local Governments;” 29 CFR part 97, “Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments;” OMB Circular A-110, “Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals and Other Non-Profit Organizations;” (codified at 2 CFR part 215); or the FAR (48 CFR part 42), as applicable. (OMB Circulars are available on-line at <http://www.whitehouse.gov/omb/circulars/index.html>.) Whenever possible,

auditees shall make positive efforts to utilize small businesses, minority-owned firms, and women’s business enterprises, in procuring audit services as stated in OMB Circular A-102, OMB Circular A-110 (2 CFR part 215), or the FAR (48 CFR part 42), as applicable. In requesting proposals for audit services, the objectives and scope of the audit should be made clear. Factors to be considered in evaluating each proposal for audit services include the responsiveness to the request for proposal, relevant experience, availability of staff with professional qualifications and technical abilities, the results of external quality control reviews, and price.

\* \* \* \* \*

**§§ 99.400, 99.520 [Amended]**

■ 60. In § 99.400(d)(4) and § 99.520(b)(1)(i) and (d)(2)(ii), after the number “\$300,000”, add the words “(or \$500,000 for fiscal years ending after December 31, 2003)”.

Dated: June 27, 2007.

**Susan Howe,**

*Deputy Assistant Secretary for Policy.*

[FR Doc. E7-12765 Filed 7-6-07; 8:45 am]

**BILLING CODE 4510-23-P**

**DEPARTMENT OF DEFENSE**

**Department of the Air Force**

**32 CFR Part 989**

**Environmental Impact Analysis Process (EIAP); Correction**

**AGENCY:** Department of the Air Force, DoD.

**ACTION:** Final rule; technical corrections.

**SUMMARY:** This document contains technical correction amendments to the Air Force EIAP regulation codified at 32 CFR Part 989. The rule relates to the Air Force process for compliance with the National Environmental Policy Act (NEPA) and Executive Order (E.O.)

12114, Environmental Effects Abroad of Major Federal Actions.

**DATES:** *Effective Date:* July 9, 2007.

**FOR FURTHER INFORMATION CONTACT:** Mr. Jack Bush (HQ USAF/A7CI), 1260 Air Force Pentagon, Washington, DC 20330-1260, (703) 604-5264.

**SUPPLEMENTARY INFORMATION:**

**Background**

The final rule that is the subject of these amendments integrated environmental analysis and aligned environmental document approval levels with the Air Force decision-making process. It also expanded Air Force environmental participants and responsibilities of the Environmental Planning Function (EPF) and the proponent of an action.

*Administrative Procedure Act:* The Air Force has determined that the Administrative Procedure Act, 5 U.S.C. 553, does not require notice of proposed rulemaking or an opportunity for public participation in connection with these corrections. In this regard, the Air Force notes that such notice and opportunity for comment is unnecessary because these amendments are related solely to agency organization, procedure and practice, and make technical corrections. Accordingly, the Air Force finds good cause to make these amendments effective immediately upon publication in the **Federal Register**. 5 U.S.C. 553(b)(B), 553(d)(3).

**Need for Amendments**

Amendments were needed to clarify the requirements of 32 CFR 989.

**List of Subjects in 32 CFR Part 989**

Environmental impact statements, Reporting and recordkeeping requirements.

■ Accordingly, the Department of the Air Force makes the following technical corrections to 32 CFR part 989.

**PART 989—ENVIRONMENTAL IMPACT ANALYSIS PROCESS (EIAP)**

■ 1. The authority citation for part 989 continues to read as follows:

**Authority:** 10 U.S.C. 8013.

■ 2. In § 989.3, make the following technical corrections:

- a. In paragraph (a)(1), revise “SAF/MIQ” to read “SAF/IEE”;
- b. In paragraph (a)(2), revise “SAF/MI” to read “SAF/IE”;
- c. In paragraph (a)(4)(ii), revise “AFLS/JAJT” to read “AFLOA/JAJT”;
- d. In paragraph (c)(1), revise “Air Force Center for Environmental Excellence” to read “Air Force Center for Engineering and the Environment”

and “AFCEE Environmental Conservation and Planning Directorate (AFCEE/EC)” to read “AFCEE Technical Directorate, Built Infrastructure Division (AFCEE/TDB)”;

- e. In paragraph (c)(2)(iv), revise “USAF/ILEB” to read “USAF/A7CI”;
- f. In paragraph (d)(7), second sentence, revise “USAF/ILEB” to read “USAF/A7CI”;
- g. Revise paragraph (f);
- h. In paragraph (g)(3), revise “AFLSA/JAJT” to read “AFLOA/JAJT”;
- i. In paragraph (g)(4), revise “AFLSA/JACE” to read “AFLOA/JACE”.

The revision reads as follows:

**§ 989.3 Responsibilities.**

\* \* \* \* \*

(f) *Environment, Safety, and Occupational Health Council (ESOHC).* The ESOHC provides senior leadership involvement and direction at all levels of command in accordance with AFI 90-801, Environment, Safety, and Occupational Health Councils, 25 March 2005.

\* \* \* \* \*

**§ 989.4 [Amended]**

■ 3. In § 989.4, in paragraph (h), second sentence, revise “SAF/MIQ” to read “SAF/IEE”.

**§ 989.5 [Amended]**

■ 4. In § 989.5, make the following technical corrections:

- a. In paragraph (d), revise “SAF/MIQ” to read “SAF/IEE.” Correct “ANGRC/CEV” to read “NGB/A7CV”.
- b. In paragraph (d), revise “USAF/ILEB” to read “USAF/A7CI”.

**§ 989.13 [Amended]**

■ 5. In § 989.13, in paragraph (c), revise “USAF/ILEB” to read “USAF/A7CI”.

**§ 989.14 [Amended]**

■ 6. In § 989.14, make the following technical corrections:

- a. In paragraph (h), revise “HQ USAF/ILEB” to read “HQ USAF/A7CI”.
- b. In paragraph (h), revise “SAF/MIQ” to read “SAF/IEE” in the two places it appears.
- c. In paragraph (i), revise “HQ USAF/ILEB” to read “HQ USAF/A7CI”.
- d. In paragraph (j), revise “HQ USAF/ILEB” to read “HQ USAF/A7CI”.

**§ 989.17 [Amended]**

■ 7. In § 989.17, revise “HQ USAF/ILEB” to read “HQ USAF/A7CI”.

**§ 989.18 [Amended]**

■ 8. In Sec. 989.18, paragraph (a), third to last sentence, revise “USAF/ILEV” to read “HQ USAF/A7CI”.

**§ 989.19 [Amended]**

■ 9. In § 989.19, make the following technical corrections:

- a. In paragraph (a), last sentence, revise “USAF/ILEB” to read “HQ USAF/A7CI”.
- b. In paragraph (a), revise “AFCEE/EC” to read “AFCEE/TDB” in the last sentence.
- c. In paragraph (b), revise “HQ USAF/ILEB” to read “HQ USAF/A7CI” in the three places it appears.
- d. In paragraph (c)(2), revise “HQ USAF/ILEB” to read “HQ USAF/A7CI.” in the two places it appears.
- e. In paragraph (c)(2), last sentence, revise “SAF/MIQ” to read “SAF/IEE”.

**§ 989.20 [Amended]**

■ 10. In § 989.20, make the following technical corrections:

- a. In paragraph (a), first and second sentences, revise “HQ USAF/ILEB” to read “HQ USAF/A7CI” in the two places it appears.
- b. In paragraph (a), first sentence, revise “SAF/MIQ” to read “SAF/IEE”.

**§ 989.21 [Amended]**

■ 11. In § 989.21, make the following technical corrections:

- a. In paragraph (a), first sentence, revise “HQ USAF/ILEB” to read “HQ USAF/A7CI”.
- b. In paragraph (a), first sentence, revise “SAF/MIQ” to read “SAF/IEE”.
- c. In paragraph (c), last sentence, revise “explain why” to read “explain why not”

**§ 989.22 [Amended]**

■ 12. In § 989.22, make the following technical corrections:

- a. In paragraph (b), second to last sentence, revise “HQ USAF/ILEB” to read “HQ USAF/A7CI”.
- b. In paragraph (d), last sentence, revise “HQ USAF/ILEB” to read “HQ USAF/A7CI”.

**§ 989.26 [Amended]**

■ 13. In § 989.26, paragraph (f), first and second sentences, revise “SAF/MIQ” to read “SAF/IEE” in the two places it appears.

**§ 989.29 [Amended]**

■ 14. In § 989.29, revise “HQ USAF/ILEB” to read “HQ USAF/A7CI”.

**§ 989.32 [Amended]**

■ 15. In § 989.32, revise “AFCEE/EC” to read “AFCEE/TDB”.

**§ 989.34 [Amended]**

■ 16. In § 989.34, make the following technical corrections:

- a. In paragraph (a), last sentence, revise “HQ USAF/ILEB” to read “HQ USAF/A7CI”.

- b. In paragraph (a), last sentence, revise “SAF/MIQ” to read “SAF/IEE.”
- c. In paragraph (b), third sentence, revise “HQ USAF/ILEB” to read “HQ USAF/A7CI.”
- d. In paragraph (b), third sentence, revise “SAF/MIQ” to read “SAF/IEE.”

**§ 989.36 [Amended]**

- 17. In § 989.36, make the following technical corrections:
  - a. In first sentence, revise “NEPA” to read “EIAP” at its first occurrence.
  - b. In first sentence, revise “SAF/MIQ” to read “SAF/IEE”.

**§ 989.38 [Amended]**

- 18. In § 989.38, make the following technical corrections:
  - a. In paragraph (b), revise “HQ USAF/ILEB” to read “HQ USAF/A7CI”.
  - b. In paragraph (c), revise “HQ USAF/ILEB” to read “HQ USAF/A7CI”.
  - c. In paragraph (c), revise “AFCEE/EC” to read “AFCEE/TDB”.
  - d. In paragraph (d), revise “HQ USAF/ILEB” to read “HQ USAF/A7CI” in the four places it appears.

**Appendix A to Part 989 [Amended]**

- 19. In Appendix A, make the following technical corrections:
  - a. In U.S. Government Agency Publications, revise “(DoDD) 4715.1, Environmental Security” to read “DoDD 4715.1E, Environment, Safety, and Occupational Health”.
  - b. In U.S. Government Agency Publications, revise “DoDD 5000.1, Defense Acquisition” to read “Department of Defense Directive DoDD 5000.1, The Defense Acquisition System”.
  - c. In Abbreviations and Acronyms, Change acronym definition for “AFCEE” from “Air Force Center for Environmental Excellence” to read “Air Force Center for Engineering and the Environment”.
  - d. In Abbreviations and Acronyms, revise “AFCEE/EC” to read “AFCEE/TDB”. Change acronym definition from “AFCEE Environmental Conservation and Planning Directorate (AFCEE/EC)” to read “AFCEE Technical Directorate, Built Infrastructure Division (AFCEE/TDB)”.
  - e. In Abbreviations and Acronyms, revise “AFLSA/JACE” to read “AFLOA/JACE”.
  - f. In Abbreviations and Acronyms, revise “AFLSA/JAJT” to read “AFLOA/JAJT”.
  - g. In Abbreviations and Acronyms, revise “HQ USAF/ILE” to read “HQ USAF/A7C”.
  - h. In Abbreviations and Acronyms, revise “SAF/MI” to read “SAF/IE.” Change acronym definition from

“Assistant Secretary of the Air Force for Manpower, Reserve Affairs, Installations, and Environment” to “Assistant Secretary of the Air Force for Installations, Environment & Logistics”.

- i. In Abbreviations and Acronyms, revise “SAF/MIQ” to read “SAF/IEE.” Change acronym definition from “Assistant Secretary of the Air Force for Manpower, Reserve Affairs, Installations, and Environment” to “Deputy Assistant Secretary of the Air Force for Environment, Safety and Occupational Health (ESOH)”.

- j. In Terms, under “BMPs” revise “40 CFR 1508.22” to read “32 CFR 989.22”.

**Appendix B to Part 989 [Amended]**

- 20. In Appendix B, make the following technical corrections:
  - a. In paragraph A3.1.1, revise “AFLSA/JAJT” to read “AFLOA/JAJT”.
  - b. In paragraph A3.1.2, revise “AFLSA/JAJT” to read “AFLOA/JAJT”.

**Appendix C to Part 989 [Amended]**

- 21. In Appendix C, make the following technical corrections:
  - a. In paragraph A3.1.3, last sentence, revise “HQ USAF/ILEVP” to read “HQ USAF/A7CI.”
  - b. In paragraph A3.1.3, last sentence, revise “SAF/MIQ” to read “SAF/IEE”.
  - c. In paragraph A3.2.2.1, revise “HQ USAF/ILEB” to read “HQ USAF/A7CI”.
  - d. In paragraph A3.2.3.3, revise “The name and telephone number of a person to contact for more information” to read “The name, address, and telephone number of the Air Force point of contact”.
  - e. In paragraph A3.5.1., revise “AFLSA/JAJT” to read “AFLOA/JAJT”.
  - f. In paragraph A3.5.1., revise “military trial judge” to read “hearing officer”.
  - g. In paragraph A3.5.1., revise “military trial judge” to read “hearing officer”.
  - h. In paragraph A3.8, third to last sentence, revise “SAF/MIQ” to read “SAF/IEE”.

**Bao-Anh Trinh,**

*Air Force Federal Register Liaison Officer, Department of the Air Force.*

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**BILLING CODE 5001-05-P**

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Parts 122 and 125**

[EPA-HQ-OW-2002-0049; FRL-8336-9]

RIN 2040-AD62

**National Pollutant Discharge Elimination System—Suspension of Regulations Establishing Requirements for Cooling Water Intake Structures at Phase II Existing Facilities**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Suspension of final rule.

**SUMMARY:** This action suspends the requirements for cooling water intake structures at Phase II existing facilities, pending further rulemaking. The Phase II regulation addressed existing power utilities that use a cooling water intake structure to withdraw cooling water from waters of the United States at a rate of 50 million gallons per day (MGD) or greater.

**DATES:** Effective July 9, 2007, 40 CFR 122.21(r)(1)(ii) and (5), 125.90(a), (c) and (d) and 125.91 through 125.99 in Subpart J are suspended.

**FOR FURTHER INFORMATION CONTACT:** Janet Goodwin at (202) 566-1060, [goodwin.janet@epa.gov](mailto:goodwin.janet@epa.gov) or Deborah Nagle at (202) 564-1185, [nagle.deborah@epa.gov](mailto:nagle.deborah@epa.gov).

**SUPPLEMENTARY INFORMATION:** This action suspends the Phase II regulations with the exception of 40 CFR 125.90 (b), for cooling water intake structures.

**I. General Information**

*A. Does This Action Apply to Me?*

Entities potentially affected by this action are classified under NAIC 22111. Affected categories and entities include:

Category	Examples of regulated entities
Electric Utilities .....	Electric Power Generating Facilities.
State governments ..	Department of Environmental Protection.

This table is not intended to be exhaustive, but rather provides a guide for readers regarding entities affected by this action. Other types of entities not listed in the table could also be affected. To determine whether your facility is affected by this action, you should carefully examine the definition in § 125.91. If you have questions regarding the applicability of this action